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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/547,663	08/31/2005	Margust Bruno	979-163	7169
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SOFER & HAROUN LLP. 317 MADISON AVENUE, SUITE 910 NEW YORK, NY 10017			EXAMINER ZUBAJLO, JENNIFER L	
			ART UNIT	PAPER NUMBER
			2629	
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			10/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/547,663

Applicant(s)

BRUNO, MARGUST

Examiner

Jennifer Zubajlo

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/31/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "means for indexing" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Serge Barbe (Patent Number: US 5,472,116).

As to claim 1, Barbe teaches: An interface (see figure 1 – element 2) for dialog between a user and an interactive terminal (see figure 1 – element 1) delivering goods or services comprising: at least one selection element (see figure 1 – element 7) enabling the user to choose the value of at least one parameter from an associated list of values; a validation element enabling the user to validate his or her choice (see figure 2 – element 8b); a canceling element (see figure 1 – element 5) enabling the user to cancel a choice; and a display screen (see figures 1 & 3 – element 6) enabling the user to visualize the value of the parameter, and of the type wherein the interactive terminal performs an operation which is determined according to the choice of the parameter, wherein the selection element also forms the validation element (see figure – element 7 & column 3 lines 13-37).

Barbe does not directly teach an interactive terminal delivering goods or services, especially a parking meter for a motor vehicle.

Although Barbe does not explicitly state the interactive terminal to be a parking meter for a motor vehicle, Barbe does teach “a device enabling the user to select a service and have it dispensed (for example a travel ticket) in a rapid and user-friendly manner” (see column 3 lines 14-16) and “apparatus for dispensing a service against payment of an amount” (see claim 1 lines 1-2) and therefore a parking meter would be obvious to one of ordinary skill in the art at the time of the invention to be included in the teaching of Barbe.

As to claim 2, Barbe teaches the interface according to claim 1 (see above rejection), wherein the user is able to select the value of at least two parameters and it includes a single selection element common to all the parameters (see figure 2).

As to claim 12, Barbe teaches “a device enabling the user to select a service and have it dispensed (for example a travel ticket) in a rapid and user-friendly manner” (see column 3 lines 14-16) and “apparatus for dispensing a service against payment of an amount” (see claim 1 lines 1-2) and therefore a parking meter would be obvious to one of ordinary skill in the art at the time of the invention to be included in the claim of an interactive terminal, especially a parking meter for motor vehicles, wherein it includes an interface for dialog with a user according to claim 1 (see above rejection).

4. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Serge Barbe (Patent Number: US 5,472,116) in view of Warner Hamberger (EP 1138544).

As to claims 3-6, Barbe teaches the interface according to claim 1 (see above rejection).

Barbe does not teach the selection element is an indexed knob that is mounted to rotate about a rotation axis and is mounted to slide along a sliding axis, rotating it selecting the value of a parameter and sliding it validating the selection; wherein the sliding axis and the rotation axis of the knob are the same; wherein the knob includes a central orifice accommodating the selection canceling element; and wherein the cancellation element is a pushbutton whose sliding axis and the rotation axis of the knob are the same.

Hamberger teaches the selection element is an indexed knob that is mounted to rotate about a rotation axis and is mounted to slide along a sliding axis, rotating it selecting the value of a parameter and sliding it validating the selection; wherein the sliding axis and the rotation axis of the knob are the same; wherein the knob includes a central orifice accommodating the selection canceling element; and wherein the cancellation element is a pushbutton whose sliding axis and the rotation axis of the knob are the same.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the selection unit allowing rotation and translation that

contains two push buttons whose axis is aligned with the wheel rotation taught by Hamberger into the interface taught by Barbe in order to simplify the device and make it more user friendly.

As to claims 7-9, the combination of Barbe and Hamberger teach the interface according to claim 3 (see above rejection).

Barbe also teaches the knob includes means for indexing its angular position relative to the terminal, wherein each indexed angular position of the knob corresponds in a predetermined manner to a value of a parameter, wherein a list of the values of each parameter is displayed on the screen and the movement of the knob from one angular position to another commands the movement of a value selection cursor (see figures 2 & 3 and description).

As to claims 10 and 11, the combination of Barbe and Hamberger teach the interface according to claim 3 (see above rejection).

Barbe and Hamberger do not directly teach wherein the selection knob is under the screen or wherein the rotation axis of the knob is globally orthogonal to the front face of the interactive terminal, however this is simply an engineering choice of design.

Note: References cited include just some examples that Examiner feels best explain the prior art rejection. However, the entire references teach the scope of the claims in more detail. Examiner recommends that Applicant read the full disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Zubajlo whose telephone number is (571) 270-1551. The examiner can normally be reached on Monday-Friday, 8 am - 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on (571) 272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JZ
10/11/2007


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER